

11-16-55

RCE ZZW

DOCKET NO.: MSFT-3979/160226.1

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Gary K. Starkweather

Confirmation No.: 1235

Application No.: 09/862,728

Group Art Unit: 2623

Filing Date: May 22, 2001

Examiner: Brian Q. Le

For: Document Imaging And Indexing System

EXPRESS MAIL LABEL NO: EV 615902626 US  
DATE OF DEPOSIT: November 14, 2005

EV615902626US

☒ Mail Stop AF ☐ Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL PURSUANT  
TO 37 CFR § 1.114**

*(Note - RCE practice is not available to United States applications with a filing date prior to June 8, 1995 or United States National Phase Applications where entry into the national phase is from an International Application filed prior to June 8, 1995. However, if a Continued Prosecution Application was filed after June 8, 1995 in one of the above-identified applications, RCE practice would then be permitted on that application)*

This is a Request for Continued Examination (RCE) under 37 CFR § 1.114 of the above-identified application.

1. Submission required under 37 CFR § 1.114

☐ Previously submitted

☐ Consider the amendment(s)/reply under 37 CFR § 1.116 previously filed on . (Any unentered amendment(s) referred to above will be entered).

☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on .

☐ Other: .

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- ☒ Enclosed
- ☒ Amendment/Reply under 37 CFR § 1.116
- ☐ Affidavit(s)/Declaration(s)
- ☐ Information Disclosure Statement (IDS)
- ☐ Other:

## 2. Miscellaneous

- ☐ Suspension of action on the above-identified application is requested under 37 CFR § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed three (3) months; Fee under 37 CFR § 1.17(i) required)

## FEE CALCULATION:

|  |                                  |                            |       | SMALL ENTITY  |       | NOT SMALL ENTITY |          |
|--|----------------------------------|----------------------------|-------|---------------|-------|------------------|----------|
| <input checked="" type="checkbox"/> RCE BASIC FILING FEE   |                                  |                            |       | \$395.00      | \$    | \$790.00         | \$790.00 |
|  | CLAIMS<br>REMAINING<br>AFTER RCE | HIGHEST<br>NO.<br>PAID FOR | EXTRA |               |       |                  |          |
| TOTAL<br>CLAIMS  | 14                               | 26<br>(20 MINIMUM)         | 0     | \$25<br>EACH  | \$    | \$50 EACH        | \$0      |
| INDEP.<br>CLAIMS   | 4                                | 5<br>(3 MINIMUM)           | 0     | \$100<br>EACH | \$    | \$200<br>EACH    | \$0      |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT   |                                  |                            |       | \$180         | \$    | \$360            | \$0      |
| <input type="checkbox"/> ONE MONTH EXTENSION OF TIME   |                                  |                            |       | \$60          | \$    | \$120            | \$0      |
| <input type="checkbox"/> TWO MONTH EXTENSION OF TIME   |                                  |                            |       | \$225         | \$    | \$450            | \$0      |
| <input type="checkbox"/> THREE MONTH EXTENSION OF TIME   |                                  |                            |       | \$510         | \$    | \$1020           | \$0      |
| <input type="checkbox"/> FOUR MONTH EXTENSION OF TIME  |                                  |                            |       | \$795         | \$    | \$1590           | \$0      |
| <input type="checkbox"/> FIVE MONTH EXTENSION OF TIME<br>(May only be taken when filing RCE in lieu of Appeal Brief) |                                  |                            |       | \$1080        | \$    | \$2160           | \$0      |
| <input type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID   |                                  |                            |       | minus         | (\$ ) | minus            | (\$0)    |
| <input type="checkbox"/> TERMINAL DISCLAIMER   |                                  |                            |       | \$65          | \$    | \$130            | \$0      |
| TOTAL FEE DUE  |                                  |                            |       |               | \$    |                  | \$790.00 |


- ☒ A check in the amount of **\$790.00** is attached. Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.
- ☐ Please charge Deposit Account No. 23-3050 in the amount of \$\_\_\_\_\_.00. This sheet is attached in duplicate.
- ☐ A response to the \_\_\_\_\_ dated \_\_\_\_\_ was due on \_\_\_\_\_. Petition is hereby made under 37 CFR § 1.136(a) to extend the time period for response from \_\_\_\_\_

to and through comprising an extension of the shortened  
statutory period of month(s).

- ☐ A Notice of Appeal was filed . An Appeal Brief is due on .  
Applicants are filing this Request for Continued Examination in lieu of this  
Appeal Brief. Petition is hereby made to extend the time period from to  
and through comprising a total extension of month(s).
- ☒ The Commissioner is hereby requested to grant an extension of time for the  
appropriate length of time, should one be necessary, in connection with this  
filing or any future filing submitted to the U.S. Patent and Trademark Office  
in the above-identified application during the pendency of this application.  
The Commissioner is further authorized to charge any fees related to any such  
extension of time to Deposit Account No. 23-3050. This sheet is provided in  
duplicate.
- ☒ The Commissioner is hereby authorized to charge any deficiency or credit any  
overpayment of the fees associated with this communication to Deposit  
Account No. 23-3050.

**SHOULD ANY DEFICIENCIES APPEAR** with respect to this application, including  
deficiencies in payment of fees, missing parts of the application or otherwise, the United  
States Patent and Trademark Office is respectfully requested to promptly notify the  
undersigned.

Date: November 14, 2005



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